

REMARKS

After the above cancellations, claims 30-37 and 39-51 (of which only claim 30 is independent) remain pending in the present application. In the Office Action of September 4, 2002, all of the claims were rejected as being unpatentable (i.e., "rendered obvious") over Lamm, U.S. Patent No. 6,078,907 ("Lamm") in combination with other cited references, such as Jalili, U.S. Patent No. 6,088,683 ("Jalili") and Kausik et al., U.S. Patent No. 6,263,446 ("Kausik").

Applicant amends the above claim in the present application in view of the present Office Action and submits that this claim, and all of its dependent claims, are now allowable over the cited references.

As the Patent Examiner has correctly noted, *Lamm* "does not disclose a method for transferring funds through a network between a first party registered with the computer server of the network and a second party not previously registered with the computer server." (Office Action p.3). Further, *Lamm* does not teach any of the steps of (i) receiving from the first party payment instructions comprising a payment amount and an email address of the second party; (ii) sending to the email address of the second party an email containing directions for receiving the payment amount; and (iii) if the directions are followed, transferring the payment amount to the second party; as required by twice-amended claim 30.

On the other hand, the Patent Examiner correctly notes that *Jalili* does generally disclose a method for transferring funds through a network between a first party (in *Jalili* a "customer") registered with the computer server of the network ("processing center") and a second party ("merchant") not registered with the processing center. Nevertheless, *Jalili*, like *Lamm*, does not disclose or teach the steps of twice-amended claim 30. Specifically, *Jalili* does not disclose, teach, or suggest having the customer provide an email address of the merchant to the processing center in order for the transaction between the customer and merchant to be consummated. There is no need or reason for having the merchant's email address in the on-line merchant-customer context described by *Jalili*. As the Patent Examiner points out, the motivation of the system described by *Jalili* is "to teach a system for a user to interact with a third party to be utilized for a transaction *without a second party having the customer's credit card number...*" (Office Action, p. 4). This motivation does not underlie the present invention, which is designed to enable two parties who do not normally have the capability of transferring money to each other to do so. Maintaining the "security" of the first party's payment method (e.g. credit card) from the second party is not the issue or problem being addressed by the present invention. Although this may be a side benefit of the present invention, it bears no relevance to the steps set forth in twice-amended claim 30. Thus, neither *Lamm* nor *Jalili*, alone or in combination, have a motivation to teach the method of twice-amended claim 30, which enables a first party to transfer funds to a second party by having an email sent to an email address of the second party and then

having funds transferred to the second party if the second party follows the instructions in the email. Neither *Lamm* nor *Jalili* teach or have any reason to teach or disclose such a system.

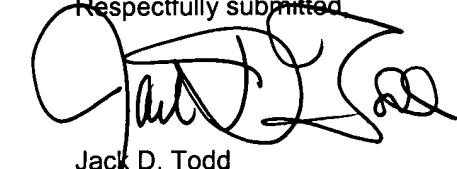
The Patent Examiner's reliance upon *Kausik*, alone or in combination with *Lamm* and/or *Jalili*, is misplaced. *Kausik* is directed merely to a method and system by which a system user is able to freely roam and authenticate himself with a central computer when the system user is not at his normal computer (i.e., one that has the system user's authentication credentials maintained in computer memory) and without requiring the system user to carry and use a hardware token, such as a smart card, which would require the computer being used by the system user to have suitable hardware for reading information from the token. As the Patent Examiner correctly points out, the purpose of *Kausik* is to teach "an on-line on demand delivery system of authentication credentials to roaming users." While this is a useful teaching that could be incorporated into the present invention to make it more easily usable to a "roaming" first party, *Kausik* does not teach the steps of twice-amended claim 30 and does not motivate or suggest, alone or in combination with *Lamm* and/or *Jalili*, the performance of the steps of twice-amended claim 30.

Applicant submits that twice-amended claim 30 now stands in condition for allowance over the references cited by the Patent Examiner. Further, since all of the remaining, not cancelled claims, merely depend from claim 30, such dependent claims also stand in condition for allowance in light of the above arguments.

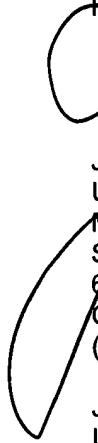
Applicant would like to take this opportunity to notify the Patent Examiner that additional patent references, which have been cited in several somewhat-related patent cases being prosecuted by the Applicant, but which have only recently been brought to the attention of the undersigned, will be filed in an Information Disclosure Statement in the very near future. Applicant requests that the present invention and amendments to the still pending claims be reviewed and considered by the Patent Examiner in light of these additional patent references. The undersigned does not know the relevance, if any, of the patent references that will be submitted.

In view of the foregoing, Applicant submits that independent claim 30 and dependent claims 31-37 and 39-51 now stand in condition for allowance (pending review and consideration of the additional patent references to be submitted), and Applicant respectfully requests the passing of the present application to issue after consideration and review of such references.

Respectfully submitted



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Neofytides et al.) Art Unit: 3624
Serial No.: 09/613,615)
Filed: July 11, 2000) Examiner: G. Akers
For: METHOD FOR ENABLING TRANSFER OF)
FUND'S THROUGH A COMPUTER)
NETWORK (Twice Amended))
Docket No.: 10722-32691)

RED-LINED CLAIMS AS AMENDED

30. (Twice Amended) A computer-implemented method for enabling a transfer of funds through a computer network from between a first party registered with a computer server of the computer network to and a second party not previously registered with the computer server, comprising the steps of:

receiving from the first party payment instructions comprising a payment amount and an email address of the second party;

sending to the email address of the second party an email containing directions for receiving the payment amount; and

if the directions are followed, transferring the payment amount to the second party.